

II. REMARKS

Preliminary Remarks

Upon entry of this Amendment, claims 11, and 13 to 18 will be pending, of which claim 11 is independent. Claims 11 and 13 are amended, claim 12 is canceled, and claims 17 and 18 are new. Support for the claim amendments and the new claims can be found in the specification and claims as originally filed (see, for example, page 73). Therefore, the applicants believe that no new matter is introduced.

This response is filed within the shortened statutory period for response, no fee due. The applicant respectfully request reconsideration and allowance of the present application.

Patentability Remarks

Rejections under 35 U.S.C. 112 –

Claims 11 to 16 were rejected under 35 U.S.C. §112, first and second paragraphs, and for including improper Markush claims. The applicant respectfully traverses in view of the preceding claim amendments and succeeding remarks.

Claim 12 is canceled. As amended, claims 11, and 13 to 16 are directed to, *inter alia*, a compound or its salt of formula A-B-C-N(O)₂, in which X₂ of B is limited to hydroxyacids of formula (DII), (DV), (DVI), and (DVII), and Y in C to a linear or branched (C₁-C₂₀)-alkylenoxy group. Further, the specification as filed contains at least ten examples of compounds representing the general classes of compounds selected.

These examples include:

- Example 5 (ibuprofen), 6 (flurbiprofen), 15 (mesalamine), and 25 (piroxicam), representative of anti-inflammatory drugs;
- Example 23 (diphylline), representative of bronchodialatory drugs;
- Example 9 (lambroxol), representative of expectorant drugs;
- Example 28 (doxorubicin), representative of anti-tumoral drugs;
- Example 13 (ampicillin), representative of antibiotics;
- Example 10 (alendronic acid), representative of bone resorption inhibitor drugs; and

- Example 17 (tacrine), representative of anti-dementia drugs.

The applicant respectfully submits that claims 11, and 13 to 16 (and new claims 17 and 18) are fully enabled by the specification under 35 U.S.C. §112, first paragraph, not indefinite under 35 U.S.C. §112, second paragraph, and include proper Markush claims. Therefore, the applicant respectfully requests withdrawal of these rejections.

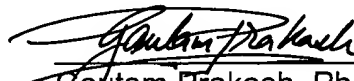
III. CONCLUSION

In view of the amendments and remarks above, the applicant respectfully submits that this application is in condition for allowance and requests favorable action thereon.

In the event this response is not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this extension, along with any other additional fees which may be required with respect to this response, may be charged to Deposit Account No. 01-2300, referencing Attorney Docket No. 026220-00014.

Respectfully submitted,

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